

15m 1643

PTO/SB/21 (09-04)

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

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| Application Number | 09/887,853 |
| Filing Date | June 21, 2001 |
| First Named Inventor | HOUSTON, L. L. |
| Art Unit | 1643 |
| Examiner Name | CANELLA, Karen A. |
| Attorney Docket Number | PP000926.0106 |

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
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Remarks The Commissioner is authorized to charge any additional fees to Deposit Account 18-1648.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|------------------------|----------|--------|
| Firm Name | Robins & Pasternak LLP | | |
| Signature | | | |
| Printed name | Roberta L. Robins | | |
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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

L. L. HOUSTON

Serial No.: 09/887,853

Filing Date: June 21, 2001

Title: BIOSYNTHETIC BINDING PROTEINS
FOR IMMUNO-TARGETING

Examiner: Karen A. CANELLA

Group Art Unit: 1643

Confirmation No.: 9213

Customer No.: 20855

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(c)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56,
Applicant(s) hereby submits the following information in conformance with 37 C.F.R.
§§1.97 and 1.98.

- ☒ Pursuant to 37 C.F.R. §1.98, a copy of publication BA cited in the attached Form PTO/SB/08A is enclosed.
- ☐ No copy of the U.S. publications ____ listed on the attached Form PTO/SB/08A are being provided because the Office waives the requirement under 37 C.F.R. 1.98 (a) (2) (i) for submitting a copy of each cited U.S. patent and each U. S. patent application publication for all U.S. national patent applications filed after June 30, 2003.

- ☐ No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. ____ to which the above-identified application claims priority under 35 U.S.C. §120.
- ☒ Publication(s) BA listed on the attached Form PTO/SB/08A was cited in a foreign search or examination report corresponding to EP application serial no. 04078206.2 and mailed on March 2, 2006.
- ☐ Enclosed is a copy of a non-English publication(s) _____. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- ☐ Enclosed is a copy of a non-English publication(s) _____. English language publication ____ (copy enclosed) claims priority from this non-English publication.
- ☐ Enclosed is an explanation of non-English publication(s) _____ for which an English translation is not available.
- ☐ Enclosed is an English translation of non-English publication(s) _____ cited in the attached Form PTO/SB/08A.
- ☐ Enclosed is a copy of pending patent Application Serial No. _____.

This Information Disclosure Statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing of:

- ☐ a final action under 37 C.F.R. § 1.113;
- ☒ a notice of allowance under 37 C.F.R. § 1.113; or
- ☐ an action that otherwise closes prosecution in this application.

In accordance with 37 C.F.R. § 1.97(c) also enclosed is:

- ☐ Fee under 37 C.F.R. § 1.17(p) in the amount of \$180.00; or
- ☒ Statement as specified in 37 C.F.R. § 1.97(e):
 - ☒ Each item of information contained in the Information Disclosure Statement cited herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or

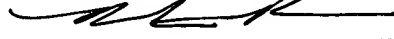
- [] No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, having made a reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

This Information Disclosure Statement under 37 CFR § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Respectfully submitted,

Date: May 12, 2006

By: 
Roberta L. Robins
Registration No. 33,208

CHIRON CORPORATION
Intellectual Property – R440
P.O. Box 8097
Emeryville, CA 9446-8097



PTO/SB/08A (08-03)

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| | | | Application Number | 09/887,853 | |
| | | | Filing Date | June 21, 2001 | |
| | | | First Named Inventor | HOUSTON, L. L. | |
| | | | Art Unit | 1643 | |
| | | | Examiner Name | CANELLA, Karen A. | |
| Sheet | 1 | of | 1 | Attorney Docket Number | PP000926.0106 (2300-0926.05) |

| U.S. PATENT DOCUMENTS+ | | | | | |
|------------------------|--------------------------|--|--------------------------------|--|---|
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
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| | | | | <i>Application Number</i> | 09/887,853 |
| | | | | <i>Filing Date</i> | June 21, 2001 |
| | | | | <i>First Named Inventor</i> | HOUSTON, L. L. |
| | | | | <i>Art Unit</i> | 1643 |
| | | | | <i>Examiner Name</i> | CANELLA, Karen A. |
| Sheet | 2 | of | 2 | <i>Attorney Docket Number</i> | PP000926.0106 (2300-0926.05) |

| NON PATENT LITERATURE DOCUMENTS | | | |
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| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
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